

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARCUS HOWELL,

Plaintiff,

v.

UNKNOWN LEAVITT, et al.,

Defendants.

Case No. 1:22-cv-243

HON. JANE M. BECKERING

**ORDER**

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Defendants Patrick Leavitt (named as “Unknown Leavitt (Guard)”) and Brent Ryan (named as “Unknown Ryan (Guard)”) filed a Motion for Summary Judgment (ECF No. 41). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 56) on January 31, 2025, recommending that this Court grant the motion. The Report and Recommendation was duly served on the applicable parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 56) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for Summary Judgment (ECF No. 41) is GRANTED. Defendants Leavitt and Ryan are therefore TERMINATED from this action.

Plaintiff’s Eighth Amendment claim regarding the denial of treatment for COVID-19 against Defendant P.A. Spurling remains in this case.

Dated: March 3, 2025

/s/ Jane M. Beckering  
JANE M. BECKERING  
United States District Judge